

House File 542 - Introduced

HOUSE FILE 542
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 259)

A BILL FOR

1 An Act modifying provisions applicable to electrician and
2 electrical contractor licensing and regulation.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 103.4, Code 2013, is amended to read as
2 follows:

3 **103.4 Organization and meetings of the board.**

4 1. The board shall elect annually from its members a
5 chairperson and a vice chairperson, and shall hire and provide
6 staff to assist the board in administering this chapter. An
7 executive secretary designated by the board shall report to the
8 state fire marshal for purposes of routine board administrative
9 functions, and shall report directly to the board for purposes
10 of execution of board policy such as application of licensing
11 criteria and processing of applications. The board shall
12 hold at least one meeting quarterly at the location of the
13 board's principal office, and meetings shall be called at other
14 times by the chairperson or four members of the board. At
15 any meeting of the board, a majority of members constitutes a
16 quorum.

17 2. All meetings, actions, and deliberations of the board
18 shall be fully subject to and shall comply with the open
19 meetings and open records requirements of chapters 21 and
20 22. Notwithstanding section 21.5, subsection 4, the office
21 of citizens' aide or the Iowa public information board shall
22 not be required to obtain a court order for the purpose of
23 inspecting the detailed minutes and audio recording of a closed
24 session of the electrical examining board in the performance of
25 its duties or under chapter 2C.

26 Sec. 2. Section 103.6, subsection 1, paragraph a, Code 2013,
27 is amended to read as follows:

28 a. Adopt rules pursuant to chapter 17A and in doing so
29 shall be governed by the minimum standards set forth in the
30 most current publication of the national electrical code issued
31 and adopted by the national fire protection association, and
32 amendments to the code, which code and amendments shall be
33 filed in the offices of the state law library and the board
34 and shall be a public record. The board shall adopt rules
35 reflecting updates to the code and amendments to the code. The

1 board shall promulgate and adopt rules establishing wiring
2 standards that protect public safety and health and property
3 and that apply to all electrical wiring which is installed
4 subject to this chapter. The rules adopted by the board
5 based on the minimum standards set forth in the most current
6 publication of the national electrical code shall apply and be
7 consistently enforced throughout the state and in and by every
8 political subdivision of the state.

9 Sec. 3. Section 103.6, subsection 1, paragraph d, Code 2013,
10 is amended by striking the paragraph.

11 Sec. 4. Section 103.6, Code 2013, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 3. The state fire marshal shall provide
14 for the amount and collection of fees for inspection and other
15 services, by rule.

16 Sec. 5. Section 103.7, Code 2013, is amended to read as
17 follows:

18 **103.7 Electrician and installer licensing and inspection**
19 **fund.**

20 An electrician and installer licensing and inspection fund
21 is created in the state treasury as a separate fund under
22 the control of the ~~board~~ state fire marshal. All licensing,
23 examination, renewal, and inspection fees shall be deposited
24 into the fund and retained by and for the use of the ~~board~~ state
25 fire marshal. Expenditures from the fund shall be approved by
26 the sole authority of the ~~board in consultation with the state~~
27 fire marshal for any of the board's duties and the regulatory
28 or administrative functions of this chapter. Amounts deposited
29 into the fund shall be considered repayment receipts as defined
30 in section 8.2. Notwithstanding section 8.33, any balance
31 in the fund on June 30 of each fiscal year shall not revert
32 to the general fund of the state, but shall remain available
33 for the purposes of this chapter in subsequent fiscal years.
34 Notwithstanding section 12C.7, subsection 2, interest or
35 earnings on moneys deposited in the fund shall be credited to

1 the fund.

2 Sec. 6. Section 103.10A, Code 2013, is amended to read as
3 follows:

4 **103.10A Inactive master electrician license.**

5 The board may by rule create an inactive master electrician
6 license and the state fire marshal may establish a fee for such
7 a license. An applicant for an inactive master electrician
8 license shall, at a minimum, meet the requirements of this
9 chapter and requirements established by the board by rule
10 for licensure as a class A master electrician or a class
11 B master electrician. A person licensed as an inactive
12 master electrician shall not be authorized to act as a master
13 electrician, but shall be authorized to apply for a class A
14 master electrician license or a class B master electrician
15 license at a future date subject to conditions and under
16 procedures established by the board by rule. The conditions
17 and procedures shall include but not be limited to completion
18 of the required number of contact hours of continuing education
19 courses specified in section 103.18, and paying the applicable
20 license fee specified in section 103.19 for a class A master
21 electrician license or class B master electrician license.

22 Sec. 7. Section 103.19, Code 2013, is amended to read as
23 follows:

24 **103.19 Licenses — expiration — application — fees.**

25 1. Licenses issued pursuant to this chapter shall
26 expire every three years, with the exception of licenses for
27 apprentice electricians and unclassified persons, which shall
28 expire on an annual basis. All license applications shall
29 include the applicant's social security number, which shall be
30 maintained as a confidential record and shall be redacted prior
31 to public release of an application or other record containing
32 such social security number. ~~The board~~ state fire marshal
33 shall establish the fees to be payable for license issuance and
34 renewal in amounts not to exceed the following:

35 a. For each year of the three-year license period for

1 issuance and renewal:

2 (1) Electrical contractor, one hundred twenty-five dollars.

3 (2) Class A master electrician, class B master electrician,
4 residential master electrician, one hundred twenty-five
5 dollars.

6 (3) Class A journeyman electrician, class B journeyman
7 electrician, residential electrician, or special electrician,
8 twenty-five dollars.

9 b. For apprentice electricians or unclassified persons,
10 twenty dollars.

11 2. The holder of an expired license may renew the license
12 for a period of three months from the date of expiration upon
13 payment of the license fee plus ten percent of the renewal fee
14 for each month or portion thereof past the expiration date.
15 All holders of licenses expired for more than three months
16 shall apply for a new license.

17 3. If the ~~board~~ state fire marshal determines that all
18 licenses shall expire on the same date every three years for
19 licenses specified in subsection 1, paragraph "a", the license
20 fees shall be prorated by month. The ~~board~~ state fire marshal
21 shall determine an individual's license fee based on the number
22 of months that the individual's license will be in effect after
23 being issued and prior to expiration.

24 Sec. 8. Section 103.25, Code 2013, is amended to read as
25 follows:

26 **103.25 Request for inspection — fees.**

27 1. At or before commencement of any installation required
28 to be inspected by the board, the licensee or property owner
29 making such installation shall submit to the state fire
30 marshal's office a request for inspection. The board shall
31 prescribe the methods by which the request may be submitted,
32 which may include electronic submission or through a form
33 prescribed by the board that can be submitted either through
34 the mail or by a fax transmission. The ~~board~~ state fire
35 marshal shall also prescribe methods by which inspection fees

1 can be paid, which may include electronic methods of payment.
2 If the board or the state fire marshal's office becomes aware
3 that a person has failed to file a necessary request for
4 inspection, the board shall send a written notification by
5 certified mail that the request must be filed within fourteen
6 days. Any person filing a late request for inspection shall
7 pay a delinquency fee in an amount to be determined by the
8 ~~board~~ state fire marshal. A person who fails to file a late
9 request within fourteen days from receipt of the notification
10 shall be subject to a civil penalty to be determined by the
11 board by rule.

12 2. Notwithstanding subsection 1, the board may by rule
13 provide for the issuance of a single permit to a licensee
14 to request multiple inspections. The permit authorizes the
15 licensee to perform new electrical installations specified in
16 the permit. The board shall prescribe the methods by which
17 the request for multiple inspections may be submitted, which
18 may include electronic submission or through a form prescribed
19 by the board that can be submitted either through the mail or
20 by a fax transmission. The ~~board~~ state fire marshal shall
21 also prescribe methods by which inspection fees can be paid,
22 which may include electronic methods of payment. The board may
23 perform inspections of each new electrical installation or any
24 portion of the total number of new electrical installations
25 made under each permit. The ~~board~~ state fire marshal shall
26 establish fees for such permits, which shall not exceed
27 the total inspection fees that would be required if each
28 new electrical installation performed under the request for
29 multiple inspections had been performed under individual
30 requests for inspections as provided in subsection 1.

31 Sec. 9. Section 103.29, subsection 5, Code 2013, is amended
32 to read as follows:

33 5. A political subdivision that performs electrical
34 inspections shall act as the authority having jurisdiction for
35 electrical inspections ~~and for amending the national electrical~~

1 ~~code adopted by the board pursuant to section 103.6 for work~~
 2 ~~performed within the jurisdictional limits of the political~~
 3 ~~subdivision, provided those inspections and amendments~~
 4 ~~conform to the requirements of this chapter. Any action by~~
 5 ~~a political subdivision with respect to amendments to the~~
 6 ~~national electrical code shall be filed with the board prior to~~
 7 ~~enforcement by the political subdivision, and shall not be less~~
 8 ~~stringent than the minimum standards established by the board~~
 9 ~~by rule. Inspections performed by a political subdivision~~
 10 shall be based on standards which conform to, are governed by,
 11 and do not exceed or vary from the rules adopted by the board
 12 based on the minimum standards set forth in the most current
 13 publication of the national electrical code.

14 Sec. 10. Section 103.29, subsection 6, Code 2013, is amended
 15 by striking the subsection.

16 Sec. 11. Section 103.32, subsections 1 and 2, Code 2013, are
 17 amended to read as follows:

18 1. All state electrical inspection fees shall be due
 19 and payable to the ~~board~~ state fire marshal at or before
 20 commencement of the installation and shall be forwarded with
 21 the request for inspection. Inspection fees provided in
 22 this section shall not apply within the jurisdiction of any
 23 political subdivision if the political subdivision has adopted
 24 an ordinance or resolution pursuant to this chapter.

25 2. The ~~board~~ state fire marshal shall establish the fees for
 26 inspections in amounts not to exceed:

27 a. For each separate inspection of an installation,
 28 replacement, alteration, or repair, twenty-five dollars.

29 b. For services, change of services, temporary services,
 30 additions, alterations, or repairs on either primary or
 31 secondary services as follows:

32 (1) Zero to one hundred ampere capacity, twenty-five
 33 dollars plus five dollars per branch circuit or feeder.

34 (2) One hundred one to two hundred ampere capacity,
 35 thirty-five dollars plus five dollars per branch circuit or

1 feeder.

2 (3) For each additional one hundred ampere capacity or
3 fraction thereof, twenty dollars plus five dollars per branch
4 circuit or feeder.

5 *c.* For field irrigation system inspections, sixty dollars
6 for each unit inspected.

d. For the first reinspection required as a result of a correction order, fifty dollars; a second reinspection required as a result of noncompliance with the same correction order, seventy-five dollars; and subsequent reinspections associated with the same correction order, one hundred dollars for each reinspection.

EXPLANATION

14 This bill modifies provisions applicable to electrician and
15 electrical contractor licensing and regulation.

16 The bill provides that all meetings, actions, and
17 deliberations of the electrical examining board created
18 in Code section 103.2 shall be fully subject to and shall
19 comply with the open meetings and open records requirements
20 of Code chapters 21 and 22. Further, the bill provides that
21 notwithstanding Code section 21.5, subsection 4, the office
22 of citizens' aide or the Iowa public information board shall
23 not be required to obtain a court order for the purpose of
24 inspecting the detailed minutes and audio recording of a closed
25 session of the board in the performance of its duties or under
26 Code chapter 2C.

27 The bill specifies that rules adopted by the board based on
28 the minimum standards set forth in the most current publication
29 of the national electrical code shall apply and be consistently
30 enforced throughout the state and in and by every political
31 subdivision of the state. The bill makes conforming changes
32 deleting previous authority by political subdivisions to
33 amend the national electrical code for work performed within
34 the jurisdictional limits of the political subdivision, and
35 authority to grant variances or deviations from a standard

1 interpretation of the national electrical code on an exception
2 basis.

3 The bill transfers authority regarding the establishing and
4 collection of licensing and inspection fees, and control of
5 the electrician and installer licensing and inspection fund,
6 from the board to the state fire marshal, and makes conforming
7 changes consistent with this transfer of authority.